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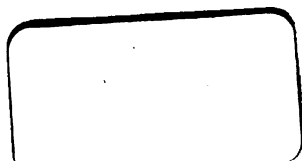
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*Cheyenne, Wyo. 1893*

# SESSION LAWS

OF THE

# STATE OF WYOMING

ENACTED BY THE

## SECOND STATE LEGISLATURE,

CONVENED AT CHEYENNE ON THE TENTH DAY OF JANUARY, 1893.

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PUBLISHED BY AUTHORITY.

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LARAMIE, WYOMING :  
THE REPUBLICAN BOOK AND JOB PRINT.  
1893.



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Asahel C. Beckwith.....	U. S. Senator.....	Evanston
Henry A. Coffeen.....	Member of Congress.....	Sheridan

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(EX-OFFICIO.)

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†J. D. Hurd.....	Evanston.....	Uinta
†Thomas Russell.....	Almy.....	Uinta

\*Republican.    †Democrat.    ‡Populist.

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Louis Kirk .....	Clerk U. S. Courts.....	Cheyenne
Benjamin F. Fowler.....	Attorney of the U. S., Wyoming.....	Sundance
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William A. Richards.....	U. S. Surveyor General .....	Cheyenne
Frank A. Stitzer .....	U. S. Deputy Revenue Collector.....	Cheyenne
E. P. Champlin.....	Register U. S. Land Office.....	Cheyenne
George C. L. Goodman.....	Register U. S. Land Office.....	Evanston
E. F. Cheney.....	Register U. S. Land Office.....	Lander
Joseph L. Stotts.....	Register U. S. Land Office.....	Sundance
Carroll H. Parmelee .....	Register U. S. Land Office.....	Buffalo
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Le Roy Grant.....	Receiver U. S. Land Office.....	Cheyenne
Frank M. Foote.....	Receiver U. S. Land Office.....	Evanston
H. G. Nickerson .....	Receiver U. S. Land Office.....	Lander
A. P. Hansen.....	Receiver U. S. Land Office.....	Sundance
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Merris C. Barrow.....	Receiver U. S. Land Office.....	Douglas

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Asahel C. Beckwith.....	Evanston

#### ALTERNATES.

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John McCormick.....	Sheridan



## CERTIFICATE.

STATE OF WYOMING, }  
OFFICE OF THE SECRETARY OF STATE. }

I, Amos W. Barber, Secretary of State of the State of Wyoming, do hereby certify that the laws, memorials and resolutions contained in this volume, passed by the Legislature of the State of Wyoming, at the Second Session thereof, begun and held at Cheyenne on the 10th day of January, A. D. 1893, have been by me examined, compared with, and found to be correctly printed from, the enrolled acts memorials and resolutions now on file in this office, and that the same are published under authority of the State of Wyoming.

{ SEAL. }

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State.

Done at Cheyenne, the Capital, this thirty-first day of March, A. D. 1893.

AMOS W. BARBER,  
*Secretary of State.*

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LAWS

OF THE

STATE OF WYOMING.

---

SECOND LEGISLATURE.

1893.

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**LAWS**  
OF THE  
**State of Wyoming**  
PASSED BY THE  
**SECOND LEGISLATURE.**

---

**CHAPTER 1.**

---

**APPROPRIATION FOR EXPENSES OF LEGISLATURE.**

AN ACT appropriating funds for the compensation of the members and officers of the Second State Legislature and expenses of said Legislature.

*Be it enacted by the Legislature of the State of Wyoming :*

SECTION 1. There is hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, the sum of eighteen thousand five hundred dollars, or so much thereof as may be necessary, to pay the per diem and mileage of officers, members and employes of the Second Legislature of the State of Wyoming.

Per diem and  
mileage of offi-  
cers and mem-  
bers.

SEC. 2. There is hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, the sum of fifteen hundred dollars, or so much thereof as may be necessary, to pay for the necessary legislative printing of the Second State Legislature of Wyoming.

Legislative  
printing.

SEC. 3. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of one thousand dollars, or so much thereof as may be necessary, to pay for stationery, postage, furniture, repairs to furniture and incidental expenses of the Second State Legislature of Wyoming.

Stationery,  
postage and in-  
cidental ex-  
penses.

SEC. 4. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of five hundred dollars, or so much thereof as may be neces-

Certified cop-  
ies of journals.



sary, to pay for certified copies of the journals of the Senate and House of Representatives of the Second State Legislature.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved January 23, 1893.

## CHAPTER 2.

### FOR THE RELIEF OF JOHN SCOTT.

AN ACT to provide for the payment of the per diem and mileage of John Scott, and making an appropriation therefor.

WHEREAS, John Scott, of Converse County, on account of a clerical error, received a certificate of election as a member of the House of Representatives of the Second Legislature of the State of Wyoming, from the County of Converse, and by reason of receiving said certificate was in attendance at the convening of said House, but by the action of the House of Representatives, under temporary organization, the said John Scott was not sworn in as a member of the House of Representatives ;

Therefore,

*Be it enacted by the Legislature of the State of Wyoming :*

SECTION 1. That the said John Scott, of Converse County, be allowed mileage and for one day's attendance at the same rate of compensation as members of the Legislature are allowed by law.

SEC. 2. That the sum of sixty-seven dollars and seventy cents (\$67.70) be and the same is hereby appropriated out of any moneys in the State treasury, not otherwise appropriated, to pay the mileage and per diem hereby allowed to the said John Scott.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 7, 1893.

## CHAPTER 3.

### STATE SEAL.

AN ACT providing for and adopting a great seal for the State of Wyoming:

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. There shall be a great seal of the State of Wyoming, which shall be of the following design, viz: Description of design for State Seal. A circle two and one-fourth inches in diameter, on the outer rim or edge of which shall be engraven the words "Great Seal of the State of Wyoming", and the design shall conform substantially to the following description:

A pedestal, showing on the front thereof an eagle resting upon a shield, said shield to have engraven thereon a star and the figures "44," being the number of Wyoming in the order of admission to statehood. Standing upon the pedestal shall be a draped figure of a woman, modelled after the statue of the "Victory of the Louvre," from whose wrists shall hang links of a broken chain, and holding in her right hand a staff, from the top of which shall float a banner with the words "Equal Rights," thereon, all suggesting the political position of woman in this State. On either side of the pedestal, and standing at the base thereof, shall be male figures typifying the live stock and mining industries of Wyoming. Behind the pedestal, and in the background, shall be two pillars, each supporting a lighted lamp, signifying the light of knowledge. Around each pillar shall be a scroll with the following words thereon: On the right of the central figure the words "Live Stock" and "Grain," and on the left the words "Mines" and "Oil." At the base of the pedestal, and in front, shall appear the figures "1869-1890," the former date signifying the organization of the Territory of Wyoming, and the latter the date of its admission to statehood. A fac-simile of the above described seal is here represented, and is hereby made a part of this act.

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed. Conflicting acts repealed.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 8, 1893.

## CHAPTER 4.

### JUDICIAL DISTRICTS.

AN ACT to define the Judicial Districts of the State and prescribing the time for holding the terms of the District Court in the several counties of each Judicial District.

*Be it enacted by the Legislature of the State of Wyoming:*

Four districts  
defined.

SECTION 1. The State of Wyoming is hereby divided into four judicial districts, as follows :

The counties of Laramie and Converse shall be and compose the First Judicial District, or Judicial District number one.

The counties of Albany and Natrona shall be and compose the Second Judicial District, or Judicial District number two.

The counties of Carbon, Sweetwater, Uinta and Fremont shall be and compose the Third Judicial District, or Judicial District number three.

The counties of Johnson, Sheridan, Crook, Weston, and the county of the Big Horn, when the same shall be organized according to law, shall be and compose the Fourth Judicial District, or Judicial District number four.

Terms of  
court in First  
District.

SEC. 2. Regular terms of the district court in the several counties of the First Judicial District, or Judicial District number one, shall be held in each year at the respective county seats of such counties, as follows :

Laramie  
County.

In the County of Laramie, two terms ; one beginning on the fourth Monday in May ; one beginning on the third Monday in November.

Converse  
County.

In the County of Converse, two terms ; one beginning on the third Monday in March, and one beginning on the fourth Monday in October.

Terms of  
court in Second  
District.

SEC. 3. Regular terms of the District Court in the several counties of the Second Judicial District, or Judicial District Number Two, shall be held each year at the respective county seats of such counties, as follows :

Albany Coun-  
ty.

In the County of Albany, three terms ; one beginning on the second Monday in March ; one on the second Mon-

day in September, and one beginning on the second Monday of January.

In the County of Natrona, two terms ; one beginning on the second Monday of May, and one beginning on the fourth Monday of October. Natrona County.

SEC. 4. Regular terms of the District Court in the several counties of the Third Judicial District, or Judicial District Number Three, shall be held in each year at the respective county seats of such counties, as follows : Terms of Court in Third District.

In the County of Carbon, two terms ; one beginning on the third Monday of May, and one beginning on the third Monday of October. Carbon County.

In the County of Sweetwater, two terms ; one beginning on the fourth Monday in April, and one beginning on the fourth Monday of September. Sweetwater.

In the County of Uinta, two terms ; one beginning on the first Monday in April, and one beginning on the first Monday in September. Uinta.

In the County of Fremont, two terms ; one beginning on the second Monday of June, and one beginning on the second Monday of November. Fremont.

SEC. 5. Regular terms of the District Court in the several counties of the Fourth Judicial District, or Judicial District Number Four, shall be held in each year at the respective county seats of such counties, as follows : Terms of Court in Fourth District.

In the County of Johnson, two terms ; one beginning on the first Monday in May, and one beginning on the second Monday of November. Johnson.

In the County of Sheridan, two terms ; one beginning on the first Monday in June, and one beginning on the second Monday of December. Sheridan.

In the County of Crook, two terms ; one beginning on the fourth Monday of April, and one beginning on the fourth Monday of September. Crook.

In the County of Weston, two terms ; one beginning on the first Monday of April, and one beginning on the first Monday of September. Weston.

In the County of Big Horn, one term, when said county shall be organized, which term shall be held at the county seat, when located according to law, at such time in each year as may be fixed by the Judge of the District Court of said Judicial District Number Four, upon forty days' notice, before the time fixed by him, to the board of the county commissioners, of said County of Big Horn, and to the public by publication for at least three successive weeks, in three successive issues of and in some weekly newspaper, published in said County of Big Horn, if any such newspaper there be, and if there be no such newspaper published in said county, the said notices shall be published in some weekly newspaper published in the County of Fremont, for Big Horn.

the time above specified, and the expense of the publication of such notice shall be paid by the said County of Big Horn.

No irregularity in the form, substance or publication of such notice shall invalidate such term of court, to be held in said County of Big Horn, when the same shall be given by said Judge of said District Court.

Appointment  
of Judge of  
Fourth District.

The Judge of the Fourth Judicial District, or Judicial District Number Four, shall be appointed by the Governor of the State of Wyoming, and he shall hold his office until the next succeeding general election of Judges of the District Courts in the State, and until his successor is elected and qualified. Such appointee shall be a person learned in the law, and an elector and resident of said Fourth Judicial District, at least twenty-eight years of age, a citizen of the United States, and shall have resided in the State of Wyoming at least two years next preceding his appointment.

Matters in  
First and Second  
Districts in  
counties now of  
Fourth District  
held to be  
pending there-  
in.

SEC. 6. Any, every and all matters, litigation and proceedings, which may now be pending in the District Court of the Second Judicial District, in and for the Counties of Johnson and Sheridan, when this act shall take effect, shall be considered to be pending in the District Court of the Fourth Judicial District, or Judicial District Number Four, and any, every and all matters, litigation and proceedings, which may now be pending in the District Court of the First Judicial District, in and for the Counties of Crook and Weston, when this act shall take effect, shall be considered to be pending in the District Court of the Fourth Judicial District, or Judicial District Number Four, and all such matters shall proceed to final determination in said Fourth Judicial District Court, unless changed in the manner as prescribed by law.

Qualification  
of Judge of  
Fourth District.

SEC. 7. Said Judge of the Fourth Judicial District, or Judicial District Number Four, shall, within fifteen days after his appointment, take the oath of office and qualify as other district judges in the State are required to qualify, and his term of office shall begin at once upon his qualifying as such officer in the manner provided by law.

Secs. 1, 3, 4,  
of chap. 52,  
L. 1891, re-  
pealed.

SEC. 8. Sections one, three four and five, of chapter fifty-two (52), of the Session Laws of Wyoming, approved January 10, 1891, be and the same are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

Approved February 9, 1893.

## CHAPTER 5.

### REAL ESTATE SOLD FOR TAXES.

AN ACT requiring the performance of certain conditions preceding the execution and delivery of a deed to real estate sold for taxes.

*Be it enacted by the Legislature of the State of Wyoming :*

SECTION 1. Hereafter no purchaser, or assignee of such purchaser, of any land, town or city lot, at any sale of lands, or lots, for taxes or special assessments due, either to the State, or any county or any incorporated town or city within the same, or at any sale for taxes or levies authorized by the laws of this State, shall be entitled to a deed for the lands or lots so purchased until the following conditions have been complied with, to-wit: Such purchaser, or assignee, shall serve, or cause to be served, a written or printed, or partly written and partly printed, notice of such purchase on every person in actual possession or occupancy of such land or lot, and also the person in whose name the same was taxed or specially assessed, if upon diligent inquiry he can be found in the county, at least three months before the expiration of the time of redemption on such sale, in which notice he shall state when he purchased the land, or lot, in whose name taxed, the description of the land, or lot, he has purchased, for what year taxed or specially assessed, when the time of redemption will expire and application for deed will be made. If no person is in actual possession or occupancy of such land, or lot, and the person in whose name the same was taxed or specially assessed, upon diligent inquiry, cannot be found in the county, then such person, or his assignee, shall publish such notice in some newspaper printed in such county, and if no newspaper is printed in the county, then in the nearest newspaper that is published in this State to the county seat of the county in which such land, or lot, is situated; which notice shall be inserted three times, the first time not more than five months and the last time not less than three months before the time of redemption shall expire.

Notice shall be served on person in actual possession or occupancy of land three months before the expiration of time of redemption.

SEC. 2. This act shall take effect and be in force from and after June first, A. D. 1893.

Approved February 9, 1893.

## CHAPTER 6.

### DESTRUCTION OF WILD ANIMALS.

AN ACT to amend and re enact section one of an act entitled, "An act to encourage the destruction of predatory wild animals, and for other purposes," approved March 1, 1890.

*Be it enacted by the Legislature of the State of Wyoming :*

Amending  
sec. 1, chap. 21,  
L. 1891.

SECTION 1. That section one of an act entitled, "An act to encourage the destruction of predatory wild animals, and for other purposes," approved March 1, 1890, be and the same is hereby amended and re-enacted so as to read as follows :

"SECTION 1. For the purpose of encouraging the destruction of coyotes, gray and black wolves and mountain lions, within the State of Wyoming, the board of county commissioners of the various counties, in said State, are hereby authorized and required to make payment out of the general fund of their respective counties, the sums of money, as herein designated, viz. : For each coyote so killed, one dollar ; for each gray and black wolf so killed, eight dollars, and for each mountain lion so killed, six dollars."

Amending  
sec. 5, chap. 21,  
L. 1891.

SEC. 2. That section five of said act be and the same is hereby amended and re-enacted so as to read as follows :

"Any person or persons offering for the purpose of obtaining said bounty the skin of any coyote, gray or black wolf or mountain lion, that was killed prior to the passage of this act, or that was killed outside of the boundaries of this State, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall pay a fine not less than one hundred dollars, nor more than five hundred dollars, or imprisonment not less than thirty days, nor more than six months, or by both fine and imprisonment, at the discretion of the court, for each such offense, together with all the costs attending upon such suit ; one-half of such fine to be paid to the informer and the other half into the school fund of the county wherein such conviction was obtained."

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 10, 1893.

## CHAPTER 7.

### CERTIFICATES OF INDEBTEDNESS — PAYMENT OF.

AN ACT appropriating funds for the payment of certain certificates of indebtedness, and designating the manner in which such payment shall be made.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. There is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, the sum of five thousand eight hundred and sixty-seven dollars, or so much thereof as may be necessary, with which to pay the principal and interest of outstanding certificates of indebtedness, numbers 9, 10, 11, 12, 13, 14, 15, 23, 24, 44, 76, 78, 86, and 95, of first series, and numbers 15 to 46 inclusive, second series, representing just and legal claims against the state, which have been audited and allowed as provided by law.

Appropriating money to pay certain certificates of indebtedness.

SEC. 2. In all claims against the state, represented by certificates of indebtedness, and for which appropriations are hereby made, the State Auditor shall receive from the person holding any of said certificates of indebtedness and claiming any warrant for the payment of the same, or any part thereof, the said certificate of indebtedness, before delivering to said person a warrant on the State Treasurer.

Requiring auditor to receive the certificate before issuing warrant.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 10, 1893.



## CHAPTER 8.

### PROBATE JURISDICTION — AMENDMENT.

AN ACT to amend section 5, of chapter 16, of an act providing for probate jurisdiction and procedure and prescribing the duties of courts and officers in connection therewith, approved January 10, 1891.

*Be it enacted by the Legislature of the State of Wyoming:*

Amending  
sec. 5 of chap.  
16, l., 1891.

SECTION 1. That section 5, of chapter 16, of an act providing for probate jurisdiction and procedure, and prescribing the duties of courts and officers in connection therewith, approved January 10, 1891, be, and the same is, hereby amended and re-enacted so as to read as follows: Section 5. When a partnership exists between the decedent at the time of his death, and any other person or persons, the surviving partner or partners have the right to continue in possession of the partnership and to settle its business, but the interest of the decedent in the partnership must be included in the inventory, and be appraised as other property.

Time within  
which settle-  
ment must be  
made.

The surviving partner or partners must settle the affairs of the partnership without delay, and account with the executor or administrator, and pay over such balances as may, from time to time, be payable to him, in the right of the decedent.

Time within  
which bond  
must be filed.

Every such surviving partner must, within fifteen days after the death of his co-partner, execute and file with the clerk of the district court, a bond to the State of Wyoming, with two or more sufficient sureties, to be approved by the district court, or a judge thereof, or commissioner or clerk. In form, the bond must be joint and several, and the penalty must not be less than twice the value of a partnership property, which value must be ascertained by the district court, or the above-named officers, by examining on oath the surviving partner or partners, and any other persons, and the sureties must justify on written oath, made a part of said bond, in double the amount of their individual undertaking.

Report to ad-  
ministrator.

Upon the application of the executor or administrator the court, or judge thereof, or commissioner or clerk, may, whenever it appears necessary, order the surviving partner or partners to render an account, and in case of neglect or

refusal, may, after notice, compel it by attachment; and the executor or administrator may maintain against such surviving partner or partners any action which the decedent could have maintained.

And in case of the neglect, or refusal, of any such surviving partner to execute and file a bond as herein provided, then the District Court, or judge thereof, or commissioner or clerk, shall place the executor or administrator of the decedent in charge and custody of the partnership property, after the said executor or administrator shall have executed and filed a bond, as herein provided, for the execution and filing of by the surviving partner, and such executor or administrator shall have the same authority and power to settle the affairs of the partnership as would the surviving partner had he executed and filed a bond as herein provided.

Failure to file bond - duty of court.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 10, 1893.

## CHAPTER 9.

### PROTECTION OF EMPLOYEES, AS CANDIDATES.

AN ACT to protect employees of corporations, companies or individuals and other persons nominated as candidates, at any election, in their rights as citizens.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. Any company, corporation or individual, who shall discharge, or cause to leave his, her, or their employ, temporarily or permanently, any person or persons because they have been nominated as a candidate for any position of honor, trust or emolument, to be voted for at any election, held in pursuance of the laws of the state, shall be guilty of a misdemeanor, and shall be fined as provided in section 3, of this act.

Making it unlawful to discharge employee, under certain circumstances.

SEC. 2. Any person, or agent, or officer, of any company, or corporation who shall cause, or attempt to cause, any person or persons nominated as candidates at any election, to withdraw, or refrain from accepting such nomination by threatening loss of employment, business or patronage, if they accept such candidacy, or shall make it a condition of employment, business or patronage, that such candidacy shall not be accepted, shall be guilty of a misdemeanor.

Making it unlawful for employer to interfere in matter of nomination of employee to office.

Penalty.

SEC. 3. Any person convicted under the provisions of this act shall be fined not less than one hundred dollars, (\$100.00), nor more than five hundred dollars, (\$500.00.)

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 10, 1893.

## CHAPTER 10.

### REFUNDING BONDS IN SCHOOL DISTRICTS.

AN ACT providing for the issuing of refunding bonds in school districts.

*Be it enacted by the Legislature of the State of Wyoming:*

Power of  
board to issue  
refunding bonds.

SECTION 1. The board of directors of each and every school district in the State of Wyoming, are hereby authorized to issue refunding bonds of such school district, for the purpose of taking up outstanding bonds of such school district, for any sum not exceeding the amount of outstanding bonds; Provided, that the qualified electors of any such school district shall so elect and determine at any regular meeting, or at any special meeting, held for such purpose.

Form of bond,  
time and inter-  
est.

SEC. 2. Said bonds shall be issued in sums of not less than one hundred dollars, and shall be redeemed by the school district issuing the same within a period not exceeding thirty years, and not less than five years from the date of issue, and shall bear interest at a rate not exceeding six per centum, per annum, on each dollar of their face, which interest shall be payable annually or semi-annually, the rate of interest to be determined by the board of school directors. Such bonds shall be numbered from one upwards, and be headed "Refunding bonds of school district, number— in the county of ———, State of Wyoming"; and before being issued shall be registered by the treasurer of the county, within which such school district is situated.

Registration  
of bond.

SEC. 3. The county treasurer, of each county, shall keep a book in which shall be registered all such bonds, showing the number of the bond, the date of issue, amount, number of coupons, date of redemption, date of registry and payment of interest on such bonds, which book shall, during business hours, be open for inspection.

By whom  
signed and sale  
thereof.

SEC. 4. All bonds issued by virtue of this act shall be signed by the presiding officer of the board of directors of

such school district, countersigned by the county treasurer of the county in which such school district is situated, and attested by the clerk of such school district, with the seal of such school district attached; and none of such bonds shall be sold for less than their face value, and shall not be sold until thirty days' notice shall have been given in some newspaper, of general circulation, in the State of Wyoming.

SEC. 5. Said bonds shall have coupons attached, representing the interest to be paid each year, and the coupons representing said interest shall be detached from the bonds before presentation for payment of the interest for the year corresponding, and upon payment shall be forthwith cancelled by the county treasurer, by writing the word "cancelled" across the face thereof. The interest on all such bonds shall be payable at the office of the county treasurer of the county in which such school district issuing such bonds is situated, or in any place designated by the board of school directors of such school district.

Coupons,  
where paid.

SEC. 6. There shall be annually levied by the board of county commissioners of the county, within which is situated any school district issuing any such bonds, as are in this act provided for, on all taxable property within the limits of said school district, a tax not to exceed seven mills on the dollar of valuation, which shall be known as the Refunding Bond Fund of school district No. ———. Said tax shall be payable only in the lawful money of the United States, and shall be used to pay the interest and principal of said bonds, and for no other purpose; and said tax shall be collected in the same manner, and at the same time as the county taxes, and paid into the county treasury by the collector of taxes.

Tax to pay  
interest and  
principal.

SEC. 7. The board of school directors, of any school district, which may issue bonds, as provided in this act, shall each year, after the tenth year, retire as many of such bonds as can be redeemed, with the amount of said bond fund, at the time in the hands of the county treasurer, and in all such cases, such bonds shall be redeemed by the payment of number one first, and proceeding continuously upwards with those outstanding. All cancelled bonds shall be turned over to the board of directors at such times as they may direct.

Duty of school  
directors as to  
redemption.

SEC. 8. That all taxable property, of any school district issuing bonds, as herein provided for, at the time of issuing such bonds, shall be a pledge to the payment of the principal and interest of such bonds in the manner herein provided, and it shall not be lawful to use or divert any portion of such bond fund for any purpose whatever, except for the payment of said principal and interest, and as provided in section six of this act.

Property in  
district pledged  
for payment.

SEC. 9. The county treasurer of each county in which any school district, issuing bonds as herein provided for, is situated, shall have custody of all funds realized from the sale

Duty of Coun-  
ty Treasurer.

of such bonds and shall pay the same out only upon the return of such bonds, for the redemption of which the refunding bonds, for the issue of which this act provides, may have been issued. Such bonds so redeemed shall be cancelled by the county treasurer and turned over to the board of school directors, of the school district which issued said redeemed bonds at such time as they may direct. It shall be the duty of the county treasurer to give a separate bond to be made to such school district, in such sum and with such sureties as the board of county commissioners of the county may deem proper and sufficient, conditioned for the faithful accounting of the moneys deposited with him and realized from the sale of such bonds as are herein provided for, and such treasurer's separate bond shall be and remain in the custody of the county clerk of the county in which such school district is situated.

SEC. 10. This act shall take effect and be in force from and after its passage.

Approved February 10, 1893.

## CHAPTER 11.

### INCORPORATION OF TOWNS—REPEALING AND REVISING CERTAIN LAWS.

AN ACT to repeal section 4, of chapter 43, of the Session Laws of Wyoming passed by the Tenth Legislative Assembly, in reference to the incorporation of towns, and to revive and continue in full force and effect section 464 of the Revised Statutes of Wyoming.

*Be it enacted by the Legislature of the State of Wyoming:*

Repealing sec.  
4, chap. 43, L.  
1888.

SECTION 1. That section 4, of chapter 43, of the Session Laws of Wyoming, in reference to the incorporation of towns, passed by the Tenth Legislative Assembly and approved March 6, 1888, be and the same is hereby repealed.

Sec. 464 Re-  
vised Statutes  
re-enacted.

SEC. 2. That section 464 of the Revised Statutes of Wyoming, amended and re-enacted by the said act hereby repealed, is hereby revived and continued in full force and effect, the same as if the said act hereby repealed had never been enacted, and said section so revived shall be, and the same is, hereby re-enacted to read as follows: "Section 464. It shall be the duty of the mayor to preside at all meetings of the town council, but in case of his absence one of the

councilmen shall be chosen to act as president pro tem. such mayor shall have one vote and no more upon all questions coming before the council, and he shall commission all officers appointed or elected after the first election. The clerk shall keep a fair and accurate record of the proceedings of the town council, and in the absence of the clerk, some suitable person may be appointed to act as clerk pro tem. under the supervision and control of the council."

SEC. 3. This act shall take effect and be in force from and after its approval.

Approved Feb. 13, 1893.

## CHAPTER 12.

### UNAUTHORIZED USE OF, OR INTERFERENCE WITH, TELEGRAPH OR TELEPHONE LINES — PENALTY FOR.

AN ACT to protect an authorized telegraph company and punish any person who shall cut, break, tap, or make any connection with, or read, or copy by use of telegraph or telephone instruments, or otherwise, in any unauthorized manner, any message, either social or business, sporting, commercial, or other news reports, from any telegraph or telephone line, wire or cable, so lawfully cut or tapped in this state; or make unauthorized use of the same, or who shall wilfully and maliciously prevent, obstruct or delay, by any means or contrivance whatever, the sending, transportation, or delivery, in this state, of any authorized communication, sporting, commercial, or other news reports, by or through any telegraph or telephone, cable or wire, under the control of any telegraph or telephone company doing business in this state; or who shall wilfully and maliciously enter upon, or connect with any telegraph or telephone line, or any of the instruments, wires, cables, or any other property, telegraph or telephone company doing business in this state, for the purpose of preventing or obstructing the transmission of any authorized communication.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. Whoever shall wilfully and maliciously cut, break, tap, or make any connection with, or read, or copy by use of telegraph or telephone instruments, or otherwise, in any unauthorized manner, any message, either social or business, sporting, commercial, or other news reports, from any telegraph or telephone line, wire or cable, so lawfully cut or tapped in this state; or make unauthorized use of the same, or who shall wilfully and maliciously prevent, obstruct or delay, by any means or contrivance whatever, the sending, transportation, or delivery, in this state, of any authorized communication, sporting, commercial, or other news reports, by or through any telegraph or telephone, cable or wire, under the control of any telegraph or telephone company doing business in this state; or who shall wilfully and maliciously enter upon, or connect with any telegraph or telephone line, or any of the instruments, wires, cables, or any other property, telegraph or telephone company doing business in this state, for the purpose of preventing or obstructing the transmission of any authorized communication, shall be guilty of a felony, and upon conviction thereof shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both, at the discretion of the court.

any unauthorized person any message or copy thereof, received by him in the line of his employment by such company, shall be deemed guilty of a felony, and shall be punished by a fine of not less than fifty dollars, nor more than five hundred dollars, or by imprisonment in the penitentiary for a period of not less than one, nor more than five years, or by fine and imprisonment within the limits hereinbefore specified, at the discretion of the court.

SEC. 2. This act shall take effect and be in force from and after June 1, 1893.

Approved February 13, 1893.

## CHAPTER 13.

### WYOMING REPORTS — PURCHASE AND DISTRIBUTION OF.

AN ACT to provide for the purchase of volume three, Wyoming reports, appropriating money therefor, and providing for the distribution thereof.

*Be it enacted by the Legislature of the State of Wyoming:*

Duty of the  
Secretary of  
State.

SECTION 1. The Secretary of State is hereby directed to purchase of the West Publishing Company, of St. Paul, Minnesota, two hundred and fifty (250) copies of volume three (3), Wyoming reports, at a price not to exceed three dollars (\$3.00) per copy; Provided, said publication is approved by the judges of the supreme court of this state. The books so purchased to be in every respect equal to the copies submitted to said judges.

Amount \* a p-  
propriated.

SEC. 2. The amount of seven hundred and fifty dollars (\$750.00), is hereby appropriated out of any moneys in the treasury, not otherwise appropriated, to pay for said books, upon the receipt thereof by the Secretary of State.

Duty of the  
State Librarian.

SEC. 3. Upon receipt of said books by the said Secretary of State, he shall deliver the same to the State Librarian, taking his receipt therefor, and the State Librarian shall thereafter be the custodian of the said books. He shall have authority to use said books in exchange with other states and territories of the United States, for the published reports of said other states and territories, and to deliver one copy of said reports each to the Governor, Secretary of State, Auditor, Treasurer, State Engineer, Attorney General, Superintendent of Public Instruction, to each of the Judges of the Supreme and District Courts of the State, and

to the Clerk of the Supreme Court, for use in their respective offices, the same to be retained in said offices respectively.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 13, 1893.

## CHAPTER 14.

### STATE CONVICTS — ALLOWANCE OF GOOD TIME, MONEY AND CLOTHING.

AN ACT providing for an allowance of good time, discharge money and clothing to State convicts.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That all prisoners who have been, or shall hereafter be, convicted of any offense against the laws of the State of Wyoming, and confined in execution of the judgment or sentence, upon such conviction, in any prison or penitentiary of the State of Wyoming, shall have a deduction from their several terms of sentence of five days in each and every calender month, during which no charge of misconduct shall have been sustained against each severally, and who shall be discharged at the expiration of his term of sentence, less the time so deducted; and the certificate of the warden of such prison or penitentiary of such deduction shall be entered on the warrant of commitment; Provided, That if during the term of imprisonment the prisoner shall commit any offense for which he shall be convicted by a jury, all remissions before made shall be thereby annulled.

SEC. 2. That on the discharge from the Wyoming Penitentiary of any person convicted under the laws of the State of Wyoming, on indictment or information, he or she shall be provided by the warden of said prison with one plain suit of clothes, not to exceed in value fifteen (\$15.00) dollars, and five (\$5.00) dollars in money, for which charge shall be made and allowed in the accounts of said person with the said State of Wyoming; Provided, That this section shall not apply to persons sentenced or confined for a term of imprisonment of less than six months.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 13, 1893.



## CHAPTER 15.

### REGULATING VOLUNTARY ASSIGNMENTS — AMENDMENT.

AN ACT, amending an act, entitled "An act regulating voluntary assignments, and for other purposes," approved March 13, 1890.

*Be it enacted by the Legislature of the State of Wyoming:*

Amending sec.  
23, chap. 51, L.  
1890.

SECTION 1. That section 23, of chapter 51, of the session laws of 1890, the same being an act entitled "An act regulating voluntary assignments and for other purposes," approved March 13, 1890, be amended and re-enacted so as to read as follows:

Section 23. No assignment for the benefit of creditors shall give any preference of one debt, or class of debts, over any other debt or class of debts, and any such provision in any assignment for the benefit of creditors shall be null and void; save and except that in all cases of assignment under this act, the wages of employes of the assignor for the period of three months prior to the date of assignment, shall be and constitute preferred claims over all and singular other claims against such estate, and shall be first paid out of the assets of the estate of the assignor.

In all other cases the property of the assignor shall be distributed pro rata among his creditors, subject to the provisions contained in this act.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 13, 1893.

## CHAPTER 16.

### **MUNICIPAL CORPORATIONS — WATER WORKS — MUNICIPAL BONDS — AMENDMENT.**

AN ACT to amend sections two and five, of chapter twenty-seven, of the Session Laws of Wyoming, of 1890-91, entitled, "An act authorizing cities and towns to construct, purchase, extend, maintain and regulate a system of water-works, and to borrow money and issue coupon bonds for such purposes; and regulating the issue and payment of said bonds, and providing for the levy of a tax for the payment thereof," approved January 6, 1891.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That section 2, of chapter 27, of the Session Laws of Wyoming, of 1890-91, approved January 6, 1891, entitled, "An Act authorizing cities and towns to construct, purchase, extend, maintain and regulate a system of water works, and to borrow money and issue coupon bonds for such purposes, and regulating the issue and payment of said bonds, and providing for the levy of a tax for the payment thereof," be, and the same is hereby amended and re-enacted so as to read as follows:

SEC. 2. Any incorporated city or town, in the State of Wyoming, is hereby authorized, for the purpose of providing funds for constructing, purchasing, extending or maintaining a system of waterworks, as authorized by section one, of this act, to borrow money and to issue coupon bonds of such city or town, each of said coupon bonds to be of the denomination of one hundred dollars or five hundred dollars, as the city or town council shall determine, which said bonds shall be numbered consecutively from one upwards, payable in thirty years from date of issue, redeemable at the pleasure of such city or town after ten years, and shall bear interest at a rate not exceeding six per cent. per annum, payable annually on the first day of January in each year, principal and interest payable in lawful money of the United States, and at such place or places as shall be designated by the city or town council, and which said bond shall be signed by the mayor, attested by the clerk and signed by the treasurer of such city or town; Provided, that said bonds shall not be sold for less than their par value.

Amending sec.  
2, chap. 27, L.  
1891.

Power to is-  
sue bonds.

Amending  
sec. 5, chap. 27,  
L. 1891.

SEC. 2. Section 5, of chapter 27, of the Session Laws of Wyoming, of 1890-91, is hereby amended and re-enacted so as to read as follows :

Submission  
of proposition  
to vote, of the  
people.

SECTION 5. No bonds shall be issued for the purposes provided by this act until the proposition to issue the same shall have been submitted to the vote of the qualified electors of such city or town, and by them approved, such proposition to be so submitted at the annual election, or at a special election, called for the purpose, such election to be conducted in the same manner as other city or town elections. The proposition so submitted to the vote of the qualified electors shall specify the amount of bonds proposed to be issued, the rate of interest and the purpose for which it is proposed to issue the bonds. At any such election the official ballot shall contain the words, "For water bonds" and "Against water bonds," as the case may be. If two-thirds of the votes cast upon the proposition shall be for the bonds then such proposition shall be deemed to have been approved by the people. At such election the elector shall prepare his ballot by crossing therefrom such parts so that the remaining part shall express his vote upon the question submitted.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 13, 1893.

## CHAPTER 17.

### STATE PENITENTIARY BUILDING AT RAWLINS.

AN ACT providing for the completion and repair of the State Penitentiary building, at Rawlins, Wyoming.

*Be it enacted by the Legislature of the State of Wyoming :*

Providing for  
a levy.

SECTION 1. For the purpose of aiding in the completion of the State Penitentiary building, situated at Rawlins, Carbon County, Wyoming, in compliance with chapter 2, of chapter 30, entitled, "An act providing for the erection, completion, maintenance and care of certain public buildings, and providing for the support and maintenance of certain public institutions, and for other purposes," of the Session Laws of 1888, for the year of eighteen hundred and ninety-three it shall be the duty of the State board of equalization,

at the time of making the annual assessment for State purposes, or as otherwise provided by law, to direct the various boards of county commissioners of the several counties to levy on all taxable property a tax of three-fourths of one mill on each and every dollar of the assessed valuation of such property, and for the year 1894 a tax of one-half of one mill on each and every dollar of such assessed valuation, which tax shall be levied, collected and paid to the State treasurer in the manner provided by law for the levy, collection and payment of other State taxes, and shall be paid out of the State treasury only for the purpose of aiding in the completion of, and keeping in repair, the State Penitentiary building, situated at Rawlins, County of Carbon, Wyoming. Such tax shall be so levied and collected in addition to any tax otherwise provided by law, and nothing in any act relating to State revenue, or in any other act, shall be construed to impede or limit the levy and collection of the tax named in this section; and the proceeds of such levy shall be used for the purpose named in this chapter.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 13, 1893.

## CHAPTER 18.

### **MINERS' HOSPITAL—ERECTION AND MANAGEMENT OF.**

AN ACT providing for the levying and collecting a tax of three-fourths of one mill for the year 1893, and one-fourth of one mill for the year 1894, for the erection, equipment, management and conduct of a Miners' Hospital at the town of Rock Springs, in the County of Sweetwater, and State of Wyoming; to provide sustenance, care and medical and surgical attention for miners and others who shall become disabled or incapacitated within this State, and who shall be in need of such sustenance, care or medical or surgical attention.

*Be it enacted by the Legislature of the State of Wyoming :*

SECTION 1. There is hereby appropriated out of moneys <sup>Appropriating</sup> to be collected, as provided in section two, of this act, the sum of twenty-five thousand dollars, or so much thereof as may be collected under the provisions of said section two, for the erection and equipment of a hospital at or near the town of Rock Springs, in the County of Sweetwater, and State of Wyoming, pursuant to the provisions of chapter 81, of the <sup>levy.</sup>

Session Laws of the State of Wyoming, as enacted by the First State Legislature.

Levy to be  
made for 1893.

SEC. 2. For the year eighteen hundred and ninety-three, it shall be the duty of the state board of equalization, at the time of making the annual assessment for State purposes, or as otherwise provided by law, to direct the various boards of county commissioners of the several counties of the State to levy on all taxable property within their respective counties a tax of three-fourths of one mill on each dollar of assessed valuation, which said tax shall be known as the State Hospital building tax, and which said tax shall be levied, collected and paid to the State Treasurer in the manner provided by law for the levy, collection and payment of other State taxes, and the proceeds of such tax shall be applied to the erection and equipment of the hospital mentioned in section 1 hereof. Such tax shall be so levied and collected in addition to any tax otherwise provided by law.

Levy to be  
made for 1894.

SEC. 3. For the year eighteen hundred and ninety-four it shall be the duty of the state board of equalization, at the time of making the annual assessment for State purposes, or as otherwise provided by law, to direct the various boards of county commissioners of the several counties of the State to levy upon all the taxable property of their respective counties a tax of one-fourth of one mill on each dollar of assessed valuation, or so much thereof as may be necessary for the proper maintenance of said hospital, the amount of such levy to be determined by the State board of equalization; which said tax shall be known as the State Hospital maintenance tax, and which said tax shall be levied, collected and paid to the State Treasurer in the manner provided by law for the levy, collection and payment of other State taxes, and the proceeds of such tax shall be applied to the maintenance, conduct and support of said hospital, and such tax shall be so levied and collected in addition to any tax otherwise provided by law.

Duty of board  
of trustees as to  
suitable site for  
hospital.

SEC. 4. It shall be the duty of the board of trustees of the said hospital, as soon after their appointment as practicable, to procure by donation a suitable site within or near the town of Rock Springs, in the County of Sweetwater, and State of Wyoming, for the erection of said hospital, and the title to such site shall be in fee simple and shall be taken in the name of the State of Wyoming.

Duty of board  
of trustees as to  
plans and draw-  
ings for build-  
ing.

SEC. 5. It shall be the duty of the board of trustees of the said hospital, as soon as practicable, after their appointment, to procure plans, drawings and specifications for the buildings, necessary and proper for said hospital, the exterior of such buildings shall be of brick or stone, but the plans determined upon by the board shall be such as will admit of further enlargement, so as to preserve the symmetry of the

building. Provided, that the amount expended in the erection and equipment of the buildings, herein provided for, shall not exceed the sum of twenty-five thousand dollars.

SEC. 6. After adopting such plans and specifications <sup>to receive as proposed</sup> the board of trustees shall advertise for proposals for the erection of such hospital buildings, according to said plans and specifications, for the period of thirty days, in some daily newspaper published in this State, and also in each of the weekly newspapers published in Sweetwater County, and all contracts shall be awarded to the lowest responsible bidder, who shall give the bond hereinafter required, provided, that the board of trustees may reject any and all bids, as it may deem advisable, and may advertise again for proposals for a period of not less than ten days.

SEC. 7. It shall be the duty of said board of trustees <sup>to require bond from contractor</sup> to exact from the person or persons, to whom any contract shall be awarded, under the preceding section, a bond to the State of Wyoming, in double the amount of the proposal of such person or persons, with two or more sufficient sureties, to be approved by the board, conditioned for the faithful performance of his or their contract, within a time to be fixed by the board of trustees.

SEC. 8. It shall be the duty of the board of trustees <sup>As to schedule of charges for treatment</sup> to establish a schedule of charges for care and treatment of patients, which all persons treated at said hospital shall be required to pay, except in cases where such person or persons shall be adjudged a subject of charity under such rules as said board of trustees may adopt, for the government of said institution; Provided, however, said board of trustees shall have power, and are hereby empowered to establish a schedule of charges so that members of any society, or any class of individuals may, by the payment of an annual sum into the treasury of said institute, be entitled to the benefits of care, and treatment at said institute, and any person who shall comply with the requirements of this section, and the rules of the board of trustees, adopted in conformity to the provisions of this section, shall be entitled to the benefits of said institution.

SEC. 9. The members of the board of trustees of said hospital shall each receive as compensation for their services <sup>Compensation of board of trustees</sup> on such board, the sum of five dollars per day, for each day occupied with the duties of the said board, and also their actual and necessary traveling expenses in going to and from any meeting of the board, to be paid from the fund provided for in section 3, of this act, upon a certificate signed by the president and secretary of said board of trustees, which certificate shall state the items of such indebtedness, or expense, that the same are just, were necessarily incurred, and have not been paid.

As to disposition of funds left from appropriation.

SEC. 10. If after the said site shall have been secured, and the said hospital buildings erected and completed under the provisions hereof, there shall be any moneys remaining out of the sums received, under sections 1 and 2 hereof, the same shall be transferred to, and shall be covered back into, the State Treasury and become a part of the State general fund.

Place for holding meeting of board of trustees

SEC. 11. All meetings of the board of trustees of said hospital shall be held in the said town of Rock Springs.

As to who shall be trustees.

SEC. 12. At least three members of the board of trustees of said hospital shall be residents of the said county of Sweetwater.

Report of board of trustees.

SEC. 13. The board of trustees of the said hospital, on or before the fifth day of January, of each year, shall submit to the Governor a full, true and complete report of all their acts, as such board of trustees, for the preceding year, and such report shall contain among other things a detailed and full statement of the condition of the funds and of all moneys expended; also the number of patients treated at said hospital and the result of such treatment.

SEC. 14. This act shall take effect and be in force from and after its passage.

Approved February 14, 1893.

## CHAPTER 19.

### REGULATING THE DISPOSITION OF UNEXPENDED BALANCES OF APPROPRIATIONS.

AN ACT regulating the disposition of unexpended balances of appropriations, and for other purposes.

*Be it enacted by the Legislature of the State of Wyoming:*

To be returned to fund from which appropriation is made.

SECTION 1. In every case where an appropriation of money of the state has been made, or shall be made, to pay for services, materials, property of any kind, damages or claims against the state of whatsoever nature, the value or amount of which was not ascertained or liquidated at the time of making such appropriation, and any balance thereof remaining after making the payments legally chargeable thereto, the auditor of state, shall, before the expiration of the fiscal year, in which the last of such payments was made,

transfer such balance to the fund out of which the appropriation was made, charging such fund and crediting the account of such appropriation with the balance.

SEC. 2. That any money received from the Government of the United States, for the purpose of re-imbursing the State of Wyoming, for expenses incurred incident to the Constitutional Convention of Wyoming, be, and the same is, covered into the general fund; Provided, that the auditor of the state is hereby authorized and directed to draw his warrant on the State Treasurer, to be paid out of said fund, in payment of any legal expense incident to said convention, not already paid.

As to funds left from U. S. government appropriations made to the State.

SEC. 3. The unexpended balance known as the Capitol Building Fund (not appropriated) is not contemplated to be included within the provisions of this act.

Exception as to capitol building fund.

SEC. 4. That this act shall take effect and be in force from and after its passage.

Approved February 14, 1893.

## CHAPTER 20.

### CEDING TO THE UNITED STATES JURISDICTION OVER MILITARY POSTS AND LANDS.

AN ACT ceding to the United States jurisdiction over certain military posts and lands, and the Shoshone Indian Reservation.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That exclusive jurisdiction be, and the same is, hereby ceded to the United States, over and within all the territory, owned by the United States, included within the limits of the United States military reservations known as Fort D. A. Russell, Fort McKinney and Fort Washakie, Camp Sheridan and Camp Pilot Butte, and the United States powder depot at Cheyenne, together with such other lands in the State as may be now, or hereafter, acquired or held by the United States for military purposes, either as additions to the posts above named, or as new military posts or reservations, which may be established for the common defense, saving, however, to the said state, the right to serve civil or criminal process within the limits of the aforesaid forts, camps and depot, in suits or prosecutions for, or on account of rights acquired, obligations incurred or

Ceding jurisdiction to U. S. courts over certain military reservations.



crimes committed in said state, but outside of said cession and reservation, and saving further to said state the right to tax persons and corporations, their franchises and property, on said lands hereby ceded.

Over Shoshone Indian reservation.

SEC. 2. That exclusive jurisdiction be, and the same is hereby ceded to the United States, over and within all that territory embraced within the boundaries and limits of what is known as the Shoshone Indian Reservation, in said State, saving, however, to said State, the right to serve civil and criminal process within said Indian Reservation, in suits or prosecutions for, or on account of rights acquired, obligations incurred or crimes committed in said State, but outside of said cession and said Indian Reservation; and saving further to said State, the rights to tax persons and corporations, their franchises and property, on said Reservation.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 17, 1893.

## CHAPTER 21.

### REGULATING GRAND JURY SYSTEM — AMENDMENT AND REPEAL.

AN ACT to amend and re-enact section seven, of chapter fifty-nine, and to repeal section eight, of chapter fifty-nine, of the Session Laws of the State of Wyoming, enacted by the First State Legislature, regulating the grand jury system.

*Be it enacted by the Legislature of the State of Wyoming :*

Amending sec. 7 of chap. 59, L., 1891.

SECTION 1. That section seven, of chapter fifty-nine, of the Session Laws, of the State of Wyoming, enacted by the First State Legislature, being an act regulating the grand jury system, is hereby amended and re-enacted to read as follows: Section seven. No information shall be filed against any person, for any felony, until such person shall have had a preliminary examination therefor, as provided by law, before a justice of the peace, or other examining magistrate or officer, and shall have been held for trial by such court or officer, unless such person shall have waived his right to such examination; Provided, however, that information may be filed without such examination, against fugitives from justice.

SEC. 2. That section eight, of chapter fifty-nine, of the Session Laws of the State of Wyoming, enacted by the First State Legislature, regulating the grand jury system, be and the same is hereby repealed. Repealing sec.  
8, chap. 59 L.  
1891.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 17, 1893.

## CHAPTER 22.

### APPROPRIATIONS FOR PERIOD ENDING MARCH 31, 1895.

AN ACT making appropriation to pay the salaries and contingent expenses of State Officers; the contingent and other necessary expenses of the various State Boards and Commissioners; the necessary expenses incident to any tumult or riot, the expense for armory rent and incidental expenses of military organizations, and transportation and care of arms and ordnance; insurance on State buildings and State library; printing session laws, journals of the Senate and House of Representatives of the Second State Legislature, annual reports of State officers, and for measuring State printing; for State fair premiums; for board and tuition of George Jones and Emma Gerdel at the Colorado school for the blind; for paying land office fees, incident to the selection of lands, donated to the state by the Federal government; for governor's salary until March thirty-first, eighteen hundred and ninety-three; for relief of Caroline VanBuskirk; for relief of Converse County Fair association; of Wyoming Hardware company; of E. C. Meacham Arms company; of Cheyenne Leader company; of John K. Jeffrey; of Beckwith Commercial company; of the S. A. Bristol Printing company; of the Secretary of the State Board of Live Stock Commissioners; of Kitty Gordon; of Frank R. Stitzer as Adjutant General; of the Palace Pharmacy; of the several companies of the First Regiment of the Wyoming National Guard; of Britton and Grey; of Callaghan & Co.; of E. W. Mann; of Co. "C," Wyoming National Guard; of Otto Gramm, Edward Iverson, and the estate of F. E. Scrymser; of J. L. Atkinson, of I. C. Winslow, and for janitor services of the senate; additional contingent for the State Fish Commissioner; expense of procuring State Seal, purchase of State maps, purchase of law books, relief of N. F. Spicer, and for Clark Pelton land rental.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That the following sums be, and the same are hereby, appropriated out of any funds in the State Treasury, not otherwise appropriated, in full compensation of the services for the periods described in this act, and for the objects hereinafter expressed. Appropriat-  
ing funds.

SEC. 2. In conformity to the requirements of section one of this act, there is hereby appropriated the sum of eighty-six thousand seven hundred dollars, to pay the salaries of the State Officers, from March thirty-first, eighteen hundred and ninety-three, to and including March thirty- For salaries of  
State Officers.

first, eighteen hundred and ninety-five, as follows: For Governor, five thousand dollars; for Secretary of State, four thousand dollars; for Treasurer, four thousand dollars; for Auditor, four thousand dollars; for Superintendent of Public Instruction, four thousand dollars; for Attorney General, two thousand four hundred dollars; for State Engineer, five thousand dollars; for Adjutant General, one thousand dollars; for Inspector of Coal Mines, five thousand dollars; for per diem of Commissioner of Labor, one thousand dollars; for State Librarian, one thousand six hundred dollars; for State Superintendent of Weights and Measures, two hundred dollars; for Judges of Supreme Court, eighteen thousand dollars; for Judges of District Court, twenty-four thousand dollars; for Clerk of Supreme Court, one thousand five hundred dollars; for per diem of Superintendent of Water Divisions, six thousand dollars; Provided, That of the various sums appropriated by this section for salaries, only so much of each appropriation as may be necessary shall be paid to the respective State Officers, and then only upon proper vouchers, presented to the auditor, according to law.

Contingent  
expenses of  
State Officers.

SEC. 3. In conformity to the requirements of section one, of this act, there is hereby appropriated the sum of ninety-three thousand four hundred dollars, to pay contingent expenses of the state officers, and the contingent and other necessary expenses, of the various state boards and commissioners, until and including March thirty-first, eighteen hundred and eighty-five (ninety-five) as follows: For the Office of Governor, five thousand dollars; for the office of Secretary of State, forty-five hundred dollars; for the office of Auditor, three thousand dollars; for the office of Treasurer, two thousand dollars; for the office of Superintendent of Public Instruction, fifteen hundred dollars; for the office of Attorney General, one thousand dollars; for contingent expenses of Commissioner of Labor, five hundred dollars; for printing and office expense of the insurance department, one thousand dollars; for the office of State Librarian, one thousand dollars; for the office of Coal Mine Inspector, fifteen hundred dollars; for the office of State Engineer, including salaries of assistants, amounting to three thousand dollars, the sum of six thousand dollars; for contingent and traveling expenses of Superintendents of Water divisions, thirteen hundred dollars; for contingent of the register of the State Land board, twenty-five hundred dollars; for the contingent expense of Commission for selection of lands, six hundred dollars; for the contingent expenses of the State Board of Charities and Reform, and other necessary expenses, pertaining to said board, including the transportation, board and care of juvenile delinquents, transportation, board and care of State prisoners, expenses for the care of the blind, deaf and dumb, and feeble minded, together with necessary in-

surance, repairs and contingent expenses, the sum of sixty thousand dollars; for contingent expense of supreme court, including salary of bailiff, one thousand dollars; for traveling and contingent expense of Judges of the District Courts, one thousand dollars; Provided, That there shall be used only such parts, or portions of each of the appropriations, made by this section, as shall be necessary, and then only upon proper vouchers presented to the auditor according to law.

SEC. 4. The sum of seven thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay for armory rent and necessary incidental expenses of duly organized militia organizations, within the State, from March thirty-first, eighteen hundred and ninety-three, until March thirty-first, eighteen ninety-five ; Provided, that no company, troop or battery shall receive more than four hundred dollars per annum, and then only upon the express condition that such company, troop or battery shall be fully organized and equipped at least six months before any drafts shall be made on the treasury by the officer duly authorized to make such draft ; and provided further, that no company, troop or battery shall be entitled to any part of this appropriation, which does not by its official records show an average attendance at regular drills of fifty per cent of the active members of such organization for the six months immediately preceding any draft made upon the treasury by virtue of this appropriation. Incidental expenses of organized militia.

SEC. 5. The sum of two hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay for the care, storage and transportation of arms and ordnance from March thirty-first, eighteen hundred and ninety-three, to March thirty-first, eighteen hundred and ninety-five. For the transportation of arms.

SEC. 6. The sum of three thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay insurance on the capitol, deaf, dumb and blind asylum and fish hatchery buildings, the property of the State, from January first, eighteen hundred and ninety-four, until January first, eighteen hundred and ninety-seven ; and such insurance shall be placed by the officers, board or commissioners having charge of the respective buildings. For insurance on public buildings.

SEC. 7. The sum of six hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay insurance on State library from January first, eighteen hundred and ninety-three, until January first, eighteen hundred and ninety-five. For insurance on State library.

For printing  
Session Laws.

SEC. 8. The sum of two thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay for printing the Session Laws of the Second State Legislature.

For measuring  
State printing.

SEC. 9. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of one hundred dollars, or so much thereof as may be necessary, to pay for measuring all State printing for the two years ending March first, eighteen hundred and ninety-five.

For printing  
annual reports  
of State officers.

SEC. 10. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of two thousand dollars, or so much thereof as may be necessary, to pay for printing the annual reports of State officers for the years eighteen hundred and ninety-one and eighteen hundred and ninety-two.

For the con-  
tingent expense  
of the register  
State land  
board.

SEC. 11. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of three hundred and fifty dollars, or so much thereof as may be necessary, to pay the contingent expenses of the register of the State land board, incurred prior to March thirty-first, eighteen hundred and ninety-three.

SEC. 12. (Disapproved by the Governor, February 17, 1893.)

For expenses  
of Geo. Jones  
and Emma Ger-  
del.

SEC. 13. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of two hundred and twenty-five dollars, or so much thereof as may be necessary, to pay the Colorado school for blind, for board and tuition of George Jones and Emma Gerdel until March thirty-first, eighteen hundred and ninety-three.

SEC. 14. (Disapproved by the Governor, February 17, 1893.)

SEC. 15. (Disapproved by the Governor, February 17, 1893.)

SEC. 16. (Disapproved by the Governor, February 17, 1893.)

For fees inci-  
dent to the  
selection of cer-  
tain lands.

SEC. 17. The sum of four thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay any land office fees incident and necessary to the selection of and to obtain title to the lands donated to the State by the federal government.

For salary of  
Governor from  
January 1st to  
March 1st, 1893.

SEC. 18. The sum of six hundred and twenty-five dollars is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay the salary of Governor covering the period January second to March thirty-first, eighteen hundred and ninety-three.

SEC. 19. (Disapproved by the Governor, February 17, 1893.)

SEC. 20. (Disapproved by the Governor, February 17, 1893.)

SEC. 21. There is hereby appropriated forty-three dollars and fifty cents, or so much thereof as may be necessary, out of any funds in the State treasury, not otherwise appropriated, for the purpose of reimbursing the Wyoming Hardware company, for articles of camp equipment, furnished the Wyoming National Guard, during its first encampment, in the year eighteen hundred and ninety-one. For bill Wyo. Hardware Co.

SEC. 22. The sum of sixty-six dollars and ninety cents, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, for the purpose of reimbursing the E. C. Meacham Arms company, for articles of camp equipment, furnished the Wyoming National Guard, during its first annual encampment, in the year eighteen hundred and ninety-one. For bill of Meacham Arms Co.

SEC. 23. The sum of six dollars and seventy-five cents, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, for the purpose of reimbursing the Cheyenne Leader company for stationery, furnished the adjutant general's department. For bill of Leader Co.

SEC. 24. The sum of forty-one dollars and eighty cents, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, for the purpose of reimbursing John K. Jeffrey for stationery and record books, furnished the adjutant general's office, general staff, regimental headquarters and regimental staff. For bill of J. K. Jeffrey.

SEC. 25. The sum of one hundred and seventy dollars and fifty-five cents, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, for the purpose of reimbursing the Beckwith Commercial company, for merchandise furnished the State insane asylum, during the year eighteen hundred and ninety-one, and prior to the date when the annual tax levy became available. For bill of Beckwith Commercial Co.

SEC. 26. The sum of one hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of the funds in the State treasury, not otherwise appropriated, for the purpose of reimbursing the S. A. Bristol Printing company, for record books and stationery furnished the State adjutant general's department, prior to January first, eighteen hundred and ninety-three. For bill of Bristol Co.

SEC. 27. (Disapproved by the Governor, February 17, 1893.)

SEC. 28. (Disapproved by the Governor, February 17, 1893.)

SEC. 29. The sum of twelve dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds For bill of Kitty Gordon.

Frank Mills.

in the State treasury, not otherwise appropriated, to reimburse Kitty Gordon, for laundry work performed for the Eleventh Legislative Assembly.

For bill of  
Frank A. Stitzer.

SEC. 30. The sum of sixty-seven dollars and forty cents is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse Frank A. Stitzer, as adjutant general, for moneys paid out by said Stitzer, between the first of January, eighteen hundred and ninety-one, and the first of January, eighteen hundred and ninety-three, the items of said expense being as follows:

For certain  
telegrams.

Telegrams made necessary in arranging for the first annual encampment of the Wyoming National Guard, near Laramie city, from August twentieth to twenty-sixth, eighteen hundred and ninety-one; telegrams to secretary of war, General Brooks and others during invasion.....\$15 65  
Telegrams ..... 2 30  
Electric light and fixtures in adjutant general's office..... 10 45  
Twenty-five months' postage ..... 30 00  
Stationery ..... 9 00

\$67 40

For bill of the  
Palace Pharmacy.

SEC. 31. The sum of twenty-two dollars and sixty cents is hereby appropriated out of any funds, not otherwise appropriated, to reimburse the Palace Pharmacy, of Cheyenne, for medicine furnished in the regimental headquarters during the encampment of the State militia.

For amounts  
due companies  
First Regiment

SEC. 32. The sum of sixteen hundred dollars and thirteen cents is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay the amounts due the several companies of the First Regiment of the Wyoming National Guard, as per the adjutant general's report.

For bill of J.  
L. Atkinson.

SEC. 33. The sum of sixteen dollars and fifteen cents is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse J. L. Atkinson, for building material furnished the State insane asylum, during the years eighteen hundred and eighty-nine and eighteen hundred and ninety.

For bill of I.  
C. Winslow.

SEC. 34. The sum of three dollars and seventy-five cents is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse I. C. Winslow, for books and stationery furnished the State insane asylum during the years eighteen hundred and eighty-nine and eighteen hundred and ninety.

For the Great  
Seal of the  
State.

SEC. 35. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of two hundred dollars, or so much thereof as may be necessary, for the purpose of paying the expense of engraving and

mounting the Great Seal of the State of Wyoming, and to pay the cost of procuring and engraving the design to be used on executive proclamations, commissions and other public documents.

SEC. 36. The sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay for five thousand copies of a new map of Wyoming, as per estimate furnished the Secretary of State. For map of Wyoming.

SEC. 37. The sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, for the purchase of law books for the State library; said purchase to be made under the supervision of the Judges of the Supreme Court. For law books for the State.

SEC. 38. (Disapproved by the Governor, February 17, 1893.)

SEC. 39. The sum of one hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse Britton and Grey, attorneys of Washington, D. C., for services in a land contest case before the land department and the Secretary of the Interior. For bill of Britton & Grey.

SEC. 40. The sum of nine dollars and forty-five cents, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse Callaghan and company, for books furnished the Wyoming State library. For bill of Callaghan & Co.

SEC. 41. The sum of twenty-five dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse E. W. Mann, for attorney services in the case of Piper against the State. For bill of E. W. Mann.

SEC. 42. The sum of one hundred and eighty dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse Company "C," of the Wyoming National Guard, for services rendered while under orders from the Judge of the Second Judicial District. For expenses of Company C while under orders.

SEC. 43. The sum of four hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to reimburse Otto Gramm, Edward Iverson and the estate of F. E. Scrymser, for money paid the Union Pacific Railway company to acquire title to a portion of the land on which is located the State fish hatchery. For bill of Otto Gramm et al.

SEC. 44. The sum of one hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, to pay for janitor service rendered the Senate of the Second For janitor service.



State Legislature of the State of Wyoming by the assistant janitors of the capitol building.

For contin-  
gent expenses  
of State Fish  
Hatchery.

SEC. 45. The sum of forty-four hundred dollars, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, for contingent expense of the State fish hatchery during the two years ensuing March thirty-first, eighteen hundred and ninety-three; said sum to be in addition to the amount authorized by section twenty-two, chapter sixty-nine, Session Laws of eighteen ninety and eighteen ninety-one.

For incident-  
al expenses of  
board of equal-  
ization.

SEC. 46. There is hereby appropriated out of any funds in the State treasury, not otherwise appropriated, the sum of five hundred dollars, to pay the necessary incidental expense of the State board of equalization, for the two years ensuing March thirty-first, eighteen hundred and ninety-three.

SEC. 47. (Disapproved by the Governor, February 17, 1893.)

Balances left  
from appropri-  
ations to revert  
back to general  
fund.

SEC. 48. Any and all balances of appropriations, made by the Second State Legislature, remaining in the treasury on the thirty-first day of March, eighteen hundred and ninety-five, more than the outstanding obligations then contracted and properly payable from such appropriations, shall be converted into the general fund on that day; Provided, however, that this section shall not apply to balance in any special fund, established by law; but all balances remaining in any special fund established by law shall be continued in their respective fund and be available for their proper use.

Repealing  
inconsistent  
acts.

SEC. 49. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed, and no money shall be paid out of the State treasury, during the period covered by this act, and for the purposes herein provided, in excess of the appropriations hereby made, or otherwise specially provided by law; Provided, that nothing in this act shall be construed to limit or interfere with any law relating to any building in this State.

SEC. 50. This act shall take effect and be in force from and after its passage.

Approved February 17, 1893.

## CHAPTER 23.

### IRRIGATION COMPANIES—ASSESSMENT OF CAPITAL STOCK.

AN ACT allowing irrigation companies or associations to assess the capital stock, whether fully paid up or not, or the owners of such association, for the purpose of paying the necessary expense of keeping ditch and flumes in repair, and for other purposes.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That any ditch or irrigation company or association, all the property or capital stock of which is owned by farmers or others, owning lands under the line of such company's or association's ditch, and receiving water therefrom, by reason of their being owners or stockholders in said company or association, shall have the right to levy and collect such annual assessments on the capital stock of said company, or members or owners of such association, whether said capital stock be fully paid up or otherwise, as may be deemed necessary by the trustees of said company, or a majority of the stock of such association, for the purpose of maintaining its ditches, flumes, tunnels and the payment of all necessary expenses of such company; Provided, that this section shall only apply to such water companies or associations whose capital stock or ditch property is wholly owned by persons or corporations owning land under the line of their ditches and using water therefrom by reason of being such stockholders in said companies; and provided further, that said company or association shall have the right to close the headgate and refuse water to all such stockholders, owners or members who fail or refuse to pay said assessments after ten days' notice thereof in writing, made by the president, agent or attorney of said company or association.

As to right to collect annual assessments on stock.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 24.

### PUNISHMENT OF LARCENY BY BAILEE.

AN ACT providing for the punishment of larceny by bailee.

*Be it enacted by the Legislature of the State of Wyoming:*

Making it a  
larceny to con-  
vert property  
held as bailee.

SECTION 1. If any bailee by finding or otherwise, of any money, bank bill, or note, or goods or chattels, shall convert the same to his or her own use, with intent to steal the same, he shall be deemed guilty of larceny, in the same manner as if the original taking had been felonious; and on conviction thereof, shall be punished accordingly.

SEC. 2. This act shall take effect and be in force from and after the first day of June, 1893.

Approved February 18, 1893.

## CHAPTER 25.

### EXCHANGE OF STATE LAWS—DEPOSIT OF LAWS RECEIVED—DUTIES OF LIBRARIAN.

AN ACT to provide for the exchange of the Laws of this State for the Laws of other States and the Territories, and for the deposit of laws received in exchange in the State Library.

*Be it enacted by the Legislature of the State of Wyoming:*

Defining duty  
of Librarian.

SECTION 1. The Librarian of State shall send, or cause to be sent, to the library of each state and territory of the United States, free of expense, one copy of such session laws and revision of statutes of this state, in force and effect, as are not in the library of such state or territory, in exchange for the laws of such state or territory; and all laws

received in exchange for the laws of this State or otherwise, shall be immediately deposited, after the receipt of the same, by the Librarian of State, or other officer, in the Library of this State and shall become the property of this State.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 26.

### APPORTIONMENT—SENATORIAL AND REPRESENTATIVE DISTRICTS.

AN ACT fixing State, Senatorial and Representative Districts, and determining the Legislative Representation thereof:

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. Each organized county shall constitute a separate senatorial and a separate representative district for the election of senators and representatives. Each county a separate district.

SEC. 2. Each organized county shall be represented in the Legislature by one senator and by one representative, regardless of the population of such county. Each county to have at least one senator and one representative.

SEC. 3. In addition to the one senator prescribed by section two of this act, each organized county shall have one senator, for every six thousand inhabitants in such county, as shown by the enumeration of such inhabitants, made by the authority of the United States, in the year one thousand eight hundred and ninety. A additionally one senator for each six thousand.

SEC. 4. In addition to the one representative prescribed by section two, of this act, each organized county shall have one representative for every two thousand two hundred and fifty inhabitants, and one representative for each fraction over two thousand inhabitants in such county, as shown by the enumeration of such inhabitants made by the authority of the United States, in the year one thousand eight hundred and ninety. A additionally one representative for each two thousand.

SEC. 5. Pursuant to the ratios hereinbefore fixed and pursuant to the requirements of the constitution of this State, the senators and representatives are hereby apportioned and divided among the several counties as follows: Apportionment.

Albany County shall have two senators and five representatives. Albany.

Carbon. Carbon County shall have two senators and four representatives.

Converse. Converse County shall have one senator and three representatives.

Crook. Crook County shall have one senator and two representatives.

Fremont. Fremont County shall have one senator and two representatives.

Johnson. Johnson County shall have one senator and two representatives.

Laramie. Laramie County shall have three senators and seven representatives.

Natrona. Natrona County shall have one senator and one representative.

Sheridan. Sheridan County shall have one senator and three representatives.

Sweetwater. Sweetwater County shall have two senators and three representatives.

Uinta. Uinta County shall have two senators and four representatives.

Weston. Weston County shall have one senator and one representative, and the County of Big Horn, when organized, shall have one senator and one representative.

Basis for apportionment. SEC. 6. The foregoing apportionment is made as nearly as may be according to the number of inhabitants in the several counties in the State, as shown by the enumeration thereof, made in the year one thousand eight hundred and ninety, by the authority of the United States, and the said apportionment shall remain in force until the making of a new enumeration as provided by the State Constitution.

Preserving rights as to those elected from certain counties. SEC. 7. Every senator heretofore elected to the Second State Legislature, from the district now composed of two counties, whose term of office is for four years shall be deemed and held, during the remainder of such term, to represent the county in which he resides at the time of the passage of this act, if such county be within the district from which he was so elected.

SEC. 8. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 27.

### PROCEDURE IN CRIMINAL CASES — AMENDMENT.

AN ACT amending Section 3300 of the Revised Statutes of Wyoming, 1887, relating to procedure in criminal cases.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That section 3300 of the Revised Statutes of Wyoming, 1887, be amended and re-enacted as follows: "Section 3300. After the jury has been empanelled and sworn the trial shall proceed in the following order: Amending Sec. 3300 of Revised Statutes. Changing order of procedure.

First. The counsel for the State must state the case of the prosecution, and may briefly state the evidence by which he expects to sustain it;

Second. The defendant, or his counsel, may then state his defense, and may briefly state the evidence he expects to offer in support of it, or may wait until the evidence upon the part of the State is closed;

Third. The State must first produce its evidence, the defendant will then produce his evidence.

Fourth. The State will then be confined to rebutting evidence unless the court, for good reasons, in furtherance of justice shall permit it to offer evidence in chief;

Fifth. When the evidence is concluded, either party may request instructions to the jury on the points of law, which shall be given or refused by the court; which instructions shall be reduced to writing, if either party require it;

Sixth. Before the argument of the case is begun, the court shall immediately, and before proceeding with other business, charge the jury, which charge shall be reduced to writing by the court, if either party request it, and such charge or charges, or any other charge or instruction provided for in this section, when so written or given, shall in no case be orally qualified, modified, or in any manner explained to the jury by the court, and all written charges and instructions, shall be taken by the jury in their retirement and returned with their verdict into court, and shall remain on file with the papers of the case.

Seventh. When the evidence is concluded, and the

charge given by the court, unless the case is submitted without argument, the counsel for the State shall commence, the defendant or his counsel follow, and the counsel for the State shall conclude the argument to the jury."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 28.

### DENTISTRY — REGULATING THE PRACTICE OF.

AN ACT to regulate the practice of Dentistry in Wyoming.

*Be it enacted by the Legislature of the State of Wyoming:*

Unlawful to  
practice unless  
possessed of a  
diploma.

SECTION 1. It shall be unlawful for any persons to practice dentistry or dental surgery in the State of Wyoming without first having received a diploma from a reputable dental college or university, duly incorporated or established under the laws of some one of the United States or some foreign government, which is recognized as such by the National Association of Dental Examiners, Provided, That nothing in section one, of this act, shall apply to any bona fide practitioner of dentistry or dental surgery, in this state, at the time of the passage of this act; And, provided, That nothing in this act shall be so construed as to prevent physicians or surgeons from extracting teeth.

Requiring  
the filing of  
diploma with  
County Clerk.

SEC. 2. Every person who shall hereafter engage in the practice of dentistry or dental surgery, in this state, shall file a copy of his or her diploma with the county clerk of the county in which he or she resides, which copy shall be sworn to by the party filing the same, and the clerk shall give a certificate with the seal of the county attached thereto, to such party filing the copy of his or her diploma, and shall file or register the name of the person, the date of the filing, and the nature of the instrument, in a book to be kept by him for that purpose.

SEC. 3. Every bona fide practitioner of dentistry or dental surgery residing in this State, at the time of the passage of this act, and desiring to continue the same, shall within sixty days after the passage of this act, file an affidavit, of said facts, as to the length of time he or she has

practiced in this state, with the county clerk of the county in which he or she resides, and the said clerk shall register the name of and give a certificate to the party filing the affidavit, in like manner and of like effect as hereinbefore provided.

SEC. 4. All certificates issued under the provisions of this act shall be prima facie evidence of the right of the holder to practice under this act.

SEC. 5. Every person violating the provisions of this act shall, upon conviction thereof, be deemed guilty of a misdemeanor, and be punished by a fine of not less than fifty dollars, nor more than two hundred dollars, for each and every offense, or be imprisoned in the county jail for sixty days, or both fine and imprisonment, at the discretion of the court, and all fines collected shall belong to and be paid into the common school funds of the county where the offense was committed.

SEC. 6. Any person who shall have filed his or her affidavit or diploma, as required in sections two and three of this act, in one county and remove to another county, shall, before entering upon the practice of his or her profession in such last named county, procure a certified copy of the record of his or her former registry, and cause such transcript to be filed and recorded in the dental register of such county in which he or she has removed.

SEC. 7. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 29.

### DEPOSITIONS — AMENDMENT.

AN ACT amending sections 2617 and 2618 of the Revised Statutes of Wyoming, of 1887, relating to the taking of depositions.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That section 2617 of the Revised Statutes of Wyoming, 1887, be amended as follows: Section 2617. Depositions may be taken in this state before a judge or clerk of the Supreme Court, a judge or clerk of the District Court, justice of the peace, notary public, mayor or chief magistrate of a municipal corporation, or any other person authorized by

Amending  
Sections 2617  
and 2618, Re-  
vised Statutes.



law to administer oaths, or any person empowered by a special commission.

Before whom  
depositions can  
be taken.

SEC. 2. That section 2618 of the Revised Statutes of Wyoming, 1887, be amended as follows: Section 2618. Depositions may be taken out of this State before a judge, justice or chancellor, of any court of record, a justice of the peace, notary public, mayor or chief magistrate of any municipal corporation, a commissioner appointed by the Governor of this State to take depositions, or any other person authorized by law to administer oaths, or any person authorized by a special commission from this State. Provided, That when a deposition is taken before an officer not having a seal, the jurat of such officer shall be accompanied by the certificate of the clerk of the county in which such deposition is taken, setting forth the fact that the officer so taking such deposition, is in fact such officer, and that his signature to such deposition is genuine.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 30.

### COSTS IN MISDEMEANOR CASES.

AN ACT providing for the assessment of costs in misdemeanor cases.

*Be it enacted by the Legislature of the State of Wyoming:*

Prosecuting  
witness may be  
required to  
give bond for  
costs.

SECTION 1. That in the trial of all misdemeanor cases in any of the courts of this state, the person making the complaint shall be deemed the prosecuting witness, and before filing any complaint charging a misdemeanor in any court of this State, the justice of the peace, before whom such complaint is made, may require the prosecuting witness to give a bond, with good and sufficient sureties, in such an amount as he may deem necessary, to secure the payment of all costs that may accrue in said action.

SEC. 2. In all misdemeanor cases, where the defendant is acquitted, the court or jury, before whom the case is tried, may assess the costs against the prosecuting witness, or the costs of said action may be assessed against the county, but in all cases where the prosecuting attorney files the com-

plaint, in his own name, the county shall pay the cost if the defendant be acquitted.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

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## CHAPTER 31.

### EXTENDING THE CORPORATE LIMITS OF CITIES AND TOWNS.

AN ACT to extend the corporate limits of cities and towns in certain cases.

*Be it enacted by the Legislature of the State of Wyoming:*

SECTION 1. That all tracts or parcels of land, contiguous to or adjoining any incorporated city or town, and the title to which shall have been acquired by said city or town, by grant or purchase, from the United States of America, and which have been heretofore or shall hereafter be subdivided by said city or town, into three or more parts, for the purpose of laying out an addition or additions to said city or town, and that have been heretofore or shall hereafter be platted by said city or town, and the plat of which executed and acknowledged has been, or shall hereafter be filed for record and recorded in the office of the County Clerk of the county in which said city or town is located, as provided by law, shall be thereby annexed to said city or town. The descriptions of lots or parcels of land in such subdivisions, according to the number and designations thereof, as contained on said plat, in conveyances, or for the purposes of taxation, shall be deemed good and valid for all intents and purposes.

Requiring that certain lands owned by cities be considered as with in the incorporation.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 32.

### DEAF AND DUMB CHILDREN AS STATE CHARGES.

AN ACT prescribing the age at which deaf and dumb children may be admitted as pupils in the Blind, Deaf and Dumb Asylum, as State charges.

*Be it enacted by the Legislature of the State of Wyoming:*

Age at which  
children may  
be admitted to  
an asylum.

SECTION 1. That deaf and dumb children, of the age of nine years and over, shall be admitted as inmates to the blind and deaf and dumb asylum of this State, when the same shall be opened for the education and support of the blind, deaf and dumb, and until such time it shall be the duty of the board of trustees of said institution, or the state board of charities, to provide for the support, maintenance and education of deaf and dumb children, of the age of nine years and over, in such asylum as has been selected for the support, maintenance and education of other blind, deaf and dumb of this State, as provided in chapter 15 of the laws of Wyoming, 1890-91, entitled, "Blind, Deaf and Dumb."

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 18, 1893.

## CHAPTER 33.

### AUDIT OF CLAIMS AGAINST COUNTY—DRAWING COUNTY WARRANTS AGAINST DESIGNATED FUNDS—AMENDMENT AND REPEAL.

AN ACT to amend and re-enact section 1807 of the Revised Statutes of Wyoming, in such manner as to provide for the presentation and audit of claims against a county and the drawing of county warrants against designated county funds, and upon eighty per centum of the amount of taxes levied for the purposes of such funds, and to repeal inconsistent laws.

*Be it enacted by the Legislature of the State of Wyoming:*

Amending  
Sec. 1807 R. S.  
and providing  
for the presen-  
tation and au-

SECTION 1. That section numbered eighteen hundred and seven, of the Revised Statutes of Wyoming, be, and the same is hereby amended and re-enacted so as to read as fol-

lows: Section 1807. All claims and demands held by a <sup>diting of claims</sup> person or persons, company or corporation against a county, <sup>against the</sup> shall be presented for audit and allowance to the Board of County Commissioners of the proper county, as provided by law, before any action, in any court, shall be maintainable thereon, and all claims, when allowed, shall be paid by a county warrant, or order drawn by said board on the County Treasurer, upon the proper funds in said treasury for the amount of such claims. Such warrant or order shall be signed by the chairman of the board, permanent or temporary, attested by the County Clerk under the seal of the county, and when presented to the County Treasurer for registry, shall be countersigned by him; said warrant or order shall specify the amount and value of the claim or service for which it is issued, and be numbered and dated in the order in which it is issued. Such warrants and orders payable on demand, shall hereafter be drawn and issued upon the county treasurer; against any funds in his hands, only when at the time of drawing and issuing the same, there shall be sufficient moneys in the appropriate fund in the treasury to pay such warrants and orders. Whenever there are no moneys in the county treasury of a county, to the credit of the proper fund, to meet and defray the necessary expenses of the county, it shall be lawful for the Board of County Commissioners of such county, to provide that county warrants and orders of such county may be drawn and issued against, and in anticipation of the collection of taxes already levied for the payment of such expenses, to the extent of eighty per centum of the respective funds, against which such warrants are drawn, the aggregate amount of such warrants not to exceed eighty per centum of the total amount of taxes levied: The warrants and orders so drawn and issued under the provisions of this section, shall show upon their face that they are payable solely from the fund on which they are drawn and the taxes levied to form the same, when collected, and not otherwise. County warrants and orders may be in such form as the County Commissioners may provide, and may be made payable to the order of payee or to the bearer. The person or persons to whom such last named warrants and orders shall be allowed and delivered shall be held to have accepted the same, in full payment and satisfaction of the claim to pay which the same was issued, and the obligation of said warrants is hereby limited as stated, and the said warrants shall be paid only by, through and from the fund drawn upon, and the collected and uncollected taxes, levied, appropriated, collected or paid into the county treasury to create, constitute and form said fund, and the taxes provided by the law therefor, shall be covered into said fund until all warrants drawn shall be fully paid, satisfied and discharged, both principal

and interest. Said limited and last named orders shall not operate as a debt of said county, and shall not be held to add to or increase the debt or indebtedness of said county. Provided, that the provisions of this law shall in nowise affect the lawful warrants and orders of any county, which were issued prior to the passage of this law, and are outstanding and unpaid, but such warrants and the debt thereof, unless ratified as independent debts, within the limitations of the constitution, as provided by law, and redeemed under the funding statutes shall be paid, both principal and interest, in the order of their registry, from the fund on which they were drawn.

How ac-  
counts kept by  
County Clerk.

SEC. 2. An account with each fund, for which taxes are levied and collected, shall be kept by the County Clerk and County Treasurer respectively, in each county in this State. The County Clerk shall credit each fund with all taxes collected for such fund, and shall debit each fund with all the warrants or orders drawn against such fund, recording the number of the warrant and the amount for which it is drawn. The County Treasurer shall debit each fund with all the taxes collected for such fund, and shall credit each fund with each and every warrant paid from the fund upon which it is drawn, recording as well the date and number of each warrant. The County Treasurer shall report to the County Clerk during the first week of each month a statement of the total amount of taxes collected for each fund during the last preceding month.

Repealing  
sec. 7, chap. 27,  
L. 1888.

SEC. 3. Section 7 of an act, entitled, "An act authorizing the redemption of county indebtedness," approved March second, eighteen hundred and eighty-eight, being chapter 27 of the Session Laws of 1888; and all acts and parts of acts, insofar as the same conflict with the provisions of this act, are hereby repealed.

SEC. 4. This act shall take effect and be in force from and after its passage.

Approved February 27, 1893.

## RESOLUTIONS AND MEMORIALS.

### REMONETIZATION OF SILVER.

*Memorial No. One, House of Representatives.*

Memorializing Congress to enact laws to restore silver to the position occupied in the currency of our country prior to the Demonetization Act of 1873.

*Be it resolved by the Legislature of the State of Wyoming:*

That the Congress of the United States be memorialized as follows:

Your memorialist, the Legislature of the State of Wyoming, having in view the welfare and wishes of the people of this State, declare unqualifiedly in favor of the free and unlimited coinage of silver, at the ratio existing prior to the Demonetization Act of 1873. The interests of the entire people demand a speedy relief and your memorialist therefore prays and earnestly urges the Honorable Congress of the United States to immediately enact such laws as will restore silver to its rightful place in the currency of our country, and afford the relief that the people demand: and as in duty bound your memorialist will ever pray.

*Resolved by the Legislature of the State of Wyoming,* That an authenticated copy of this memorial and resolution be forwarded by the Secretary of State to each Senator, and to the Representative in Congress from this State, and they are hereby respectfully requested to present the same to the Honorable, the Senate and the Honorable, the House of Representatives of the United States of America, in Congress assembled, and to urge necessary legislation in the premises.

F. CHATTERTON,

Vice President of the Senate.

L. C. TIDBALL,

Speaker of the House.

Approved February 9, 1893.

JOHN E. OSBORNE,

Governor.

**ADMISSION OF UTAH, ARIZONA AND NEW MEXICO AS STATES.***Joint Memorial No. Two, House of Representatives.*

Memorializing Congress for the admission of Utah, Arizona and New Mexico to the Union of States.

*Be it resolved by the Legislature of the State of Wyoming:*

That the Congress of the United States be memorialized as follows:

Your memorialist, the Legislature of the State of Wyoming, believing that the Territories of Utah, Arizona and New Mexico contain the necessary population, wealth, resources, and all the necessary requisites of statehood, and that the interests of the people of these territories would be materially enhanced by admission to the Union of States, and that their admission would be an act of simple justice: therefore prays the Honorable Congress of the United States to speedily admit them to the rights, privileges and benefits of statehood.

*Resolved, By the Legislature of the State of Wyoming,* That an authenticated copy of this memorial and resolution be forwarded by the Secretary of State to each Senator, and to the representative in Congress from this State, and they are hereby respectfully requested to present the same to the Honorable, the Senate, and the Honorable, the House of Representatives of the United States of America, in Congress assembled, and to urge necessary legislation in the premises.

Approved February 13, 1893.

F. W. MONDELL,

President of the Senate.

L. C. TIDBALL,

Speaker of the House.

Approved February 13, 1893.

JOHN E. OSBORNE,

Governor.

**CONSTITUTIONAL AMENDMENT AS TO ELECTION OF UNITED STATES SENATORS.***Joint Memorial No. Three, House of Representatives.*

By the Second Legislature of the State of Wyoming, to the Congress of the United States, praying for the submission of a constitutional amendment providing that United States Senators shall be elected by a vote of the people.

*Be it resolved by the Second Legislature of the State of Wyoming:*

That the Senate and House of Representatives of the United States of America be memorialized as follows:

The Second Legislature of the State of Wyoming respectfully represents to the Honorable, the Senate and the Honorable, the House

of Representatives of the United States of America, in Congress assembled:

That they urge the submission of the constitutional amendment now pending in Congress, requiring United States Senators to be elected by a vote of the qualified electors of the State.

They believe that the exciting and disturbing contests for seats in the Legislature, in many of the states, has been owing in a great measure to impending contests for United States Senators.

In many States the sessions of the legislatures are limited to a specified time and much of this time has been wasted and consumed in fruitless efforts to elect Senators. The temptation to corruption and the inducements to influence Legislators by questionable means would be entirely removed if the election of Senators were transferred to the people. It is believed that the business of the Legislature should be confined to matters of legislation, and that the excitements attendant upon the selection of United States Senators, by the Legislature, interferes to a great degree with that business.

The growth of public sentiment in this direction, we believe to be grounded upon good reasons, calling for an amendment of the constitution in this respect.

F. W. MONDELL,  
President of the Senate.

L. C. TIDBALL,  
Speaker of the House.

Approved February 13, 1893.

JOHN E. OSBORNE,  
Governor.

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#### GOVERNOR'S MESSAGE.

*Joint Resolution No. One, House of Representatives.*

Providing for the printing of 750 copies of the Governor's message.

*Be it resolved by the House of Representatives, the Senate concurring therein:*

SECTION 1. That seven hundred and fifty copies of the message of the Governor be printed for general distribution.

F. W. MONDELL,  
President of the Senate.

L. C. TIDBALL,  
Speaker of the House.

Approved February 13, 1893.

JOHN E. OSBORNE,  
Governor.



**EMPLOYMENT OF ADDITIONAL CLERKS.***Joint Resolution No. Two, House of Representatives.*

Providing for the employment of an additional clerk in each house.

*Be it resolved by the House of Representatives, the Senate concurring:*

That the Chief Clerk of the Senate and the Chief Clerk of the House of Representatives be and the same are hereby authorized to employ one additional assistant, for a period of not to exceed ten days, at the rate of five dollars per day for each such assistant.

F. W. MONDELL,  
President of the Senate.

L. C. TIDBALL,  
Speaker of the House.

Approved February 13, 1893.

JOHN E. OSBORNE,  
Governor.

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ERRATA.—Read "1890" instead of "1891" in *side notes* on page 26.













